

United States District Court
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2004 NOV -1 P 2:54

U.S. DISTRICT COURT
DISTRICT OF MASS.

FRANK M. KEANEY
Plaintiff,

v.

EASTERN COMPUTER EXCHANGE, INC.,
BRENDAN LYNCH, individually,
and
BARRY WILLIAMS, individually,
Defendants.

04 MBD 10313

**SPECIAL PROCEEDING COMPLAINT
TO QUASH THE DEPOSITION SUBPOENA OF
FLEETBOSTON FINANCIAL CORPORATION**

Pursuant to Local Rule 40.4, plaintiff Frank M. Keaney hereby files this special proceeding complaint to quash the deposition subpoena of FleetBoston Financial Corporation, which was noticed to take place in Natick, Massachusetts. See Exhibit A, Subpoena and Notice of Deposition. This deposition subpoena was served in connection with a case pending in the U.S. District Court for the District of Connecticut (*Keaney v. Eastern Computer Exchange, Inc., et al.*, 3:03 cv 1893 (RNC)). In addition to filing this special proceeding, Keaney has also moved for a protective order in the District of Connecticut. See Exhibit B. To avoid the possibility of conflicting order and in the interest of judicial economy, Keaney requests that this court quash the deposition subpoena until the District of Connecticut has ruled on the motion for a protective order.

STATEMENT OF THE CASE

Eastern Computer Exchange is a Connecticut corporation with its principal place of business at 105 Cascade Boulevard, Milford, Connecticut that markets, sells, and distributes

Allowed, pending a ruling in the District of Connecticut.
R.B. Stearns DJ
11-2-04.